



The Honorable Katherine B. Forrest

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deadline had passed, that plaintiffs objected to Defendants' production of such data on a monthly basis and insisted on daily information.

In any event, plaintiffs already have much of the information they now seek. The daily LME Sword Reports produced by Defendants contain information sufficient to show Defendants' *daily* on-warrant holdings of physical aluminum for the period April 2011 to December 2014. (See, e.g., GS-METRO-00847168; GS-METRO-00835794.) For the period November 2009 to March 2011, the reports that Defendants have agreed to produce in response to plaintiffs' untimely request concerning LME futures deliveries also reflect Defendants' daily on-warrant holdings for that period. Defendants also already have produced documents that contain daily information on their off-warrant holdings. In particular, Defendants have produced hundreds of Base Metals Trading Inventory Reports that contain information sufficient to show Defendants' off-warrant holdings of aluminum on a daily basis. (See, e.g., GS-METRO-00524584-GS-METRO-00524590; GS-METRO-00533068-GS-METRO-00533074.)

In short, because fact discovery closed over a month ago, the time to seek additional documents and data has long passed, and Defendants already produced or agree to produce the information plaintiffs now request. Their motion therefore should be denied in its entirety.

Respectfully,

Suhana H. Han
Suhana H. Han

cc: All Counsel (via ECF)

Ordered

*Based on the representations being
taken, plaintiffs' motion is
denied as moot (with leave
to renew to the extent plaintiffs'
disagree with the representations -
following a meet and confer).*

6/20/16

K.B. Forrest
WJS